

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Tex Maynard Lawson

Docket No. 4:04-CR-53-1

Petition for Action on Supervised Release

COMES NOW C. Lee Meeks, Jr., probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Tex Maynard Lawson, who, upon an earlier plea of guilty Knowingly Possessing a Stolen Firearm Which Had Been Shipped or Transported in Interstate or Foreign Commerce, in violation of 18 U.S.C. §§ 924(j) and 924, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on July 6, 2005, to the custody of the Bureau of Prisons for a term of 48 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
4. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
5. The defendant shall pay a \$100 special assessment.

Tex Maynard Lawson was released from custody on November 4, 2008, at which time the term of supervised release commenced.

On September 24, 2010, the court continued supervision after finding the defendant violated the terms and conditions of the judgment as the result of criminal association and criminal conduct (assault).

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On July 23, 2011, Lawson was charged with Driving While Impaired, Possess Open Container of Alcohol in Passenger Area, and Exceeding Posted Speed in Lenoir County, North Carolina. Additionally, the defendant failed to report the charges to the probation officer. When confronted with the violations, the defendant admitted consuming alcohol, admitted the conduct, and apologized for his actions. The defendant advised that he will be obtaining a substance abuse assessment as a result of the new charge. The charge remains pending.

As a sanction for the violations, the probation officer respectfully recommends the conditions of supervision be modified to include a 20-day term of home detention with location monitoring. In consideration of the defendant's financial situation, it is not recommended he pay for the electronic monitoring.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 20 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer

/s/ C. Lee Meeks, Jr.
C. Lee Meeks, Jr.
U.S. Probation Officer
472-C Western Blvd.
Jacksonville, NC 28546-6862
Phone: (910) 347-9038
Executed On: September 28, 2011

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ORDER OF COURT

Considered and ordered this 29th day of September, 2011, and ordered filed and made a part of the records in the above case.

Malcolm J. Howard
Malcolm J. Howard
Senior U.S. District Judge